

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DR. SHIVA AYYADURAI,

Plaintiff,

v.

WILLIAMS FRANCIS GALVIN, MICHELLE)
K. TASSINARI, DEBRA O'MALLEY, AMY)
COHEN, NATIONAL ASSOCIATION OF)
STATE ELECTION DIRECTORS, in their)
individual capacities, and WILLIAM)
FRANCIS GALVIN, in his official capacity as)
Secretary of State for Massachusetts.)

Defendants.)

Civ. No. 20-cv-11889

**AFFIDAVIT OF AMY COHEN
SUPPLEMENTING THE RECORD CONCERNING
THE COURT'S POSSIBLE IMPOSITION OF SANCTIONS**

I, Amy Cohen, state as follows:

1. I am the Executive Director of defendant the National Association of State Election Directors ("NASED") and an individual defendant in this action. I submit this affidavit in accordance with the Court's orders and instructions at the August 4, 2021 hearing (*see* Dkt No 184) to supplement the record and provide information relevant to the Court's possible imposition of sanctions on Plaintiff for violating its June 16, 2020 Scheduling Order. I make this affidavit on the basis of personal knowledge and my review of NASED's business records, as well as the sources identified herein.

2. NASED is a private, not-for-profit and nonpartisan 503(c) organization whose members are state election officials across the United States.

3. In the wake of the November 2020 election, state and local election officials in the United States, as well as many in the private sector who work with them, have been threatened with violence and the subject of harassment caused by the promotion of false claims of election fraud. These threats have been widely reported in the press and the subject of numerous reports. (See, e.g., [The Conspiracy Theory-Driven Threats Georgia Election Workers Faced : NPR](#); [Winfrey testifies before House panel on threats to election workers \(detroitnews.com\)](#); [Death threats, harassment plague Hobbs, staff – Arizona Capitol Times \(azcapitoltimes.com\)](#); see also Director of National Intelligence, *Domestic Violent Extremism Poses Heightened Threat in 2021* (March 1, 2021) (concluding that “narratives of fraud in the general election . . . will almost certainly spur some [domestic violent extremists] to try to engage in violence this year,” and emphasizes the role that materials disseminated online can contribute to radicalization and violence,” available at [unclassified DNI report \[dni.gov\]](#)); <https://www.fbi.gov/news/pressrel/press-releases/iranian-cyber-actors-responsible-for-website-threatening-us-election-officials>; Brennan Center for Justice: Local Election Survey, [Local Election Officials Survey | Brennan Center for Justice](#), at 3 (noting that 1 in 6 local election workers surveyed in April 2021 reported that they had been threatened on account of their job as an election official).)

4. NASED, many of its members and I are among those who have received and/or been the subject of threats or violent rhetoric related to false election conspiracy theories promoted online, including the theories promoted by Plaintiff in this lawsuit. (See Ex. A to Rev. Amended Complaint.)

5. Attached as Exhibit 1 a representative sample of true and correct copies of emails sent to NASED that contain false allegations of election fraud and include threatening or violent

language, including a recent July 29, 2021 email received after Plaintiff filed his Revised Amended Complaint that references Plaintiff's allegation that NASED supposedly "worked with Twitter," and includes warnings that "socialist election directors" could "Face the Wrath of the People," "people will take matters into their own hands and expose your treasonous bullshit," and "you'd better have a fast horse."

6. Attached as Exhibit 2 is a representative sample of screenshots I have taken of online comments to videos or content posted by Plaintiff or Tweets by Plaintiff that falsely accuse me and/or NASED of conspiring to commit election fraud, many of which include threatening or violent language. For example, on August 3, 2021, an individual tweeted at my personal twitter account, which Plaintiff identified publicly in his July 22, 2021 filings, a tweet that relates to Plaintiff's allegations and includes a reference to me and the "GY," which I have come to understand is a reference to "graveyard" and I perceive as a threat. Other comments include that NASED and/or I should "face a firing squad," be "wiped from the face of the earth," "punished," am "an enemy of America." There are numerous examples of similar comments posted online about me or NASED that include threats or use violent language and reference Plaintiff's allegations.

7. I regularly take screenshots of such comments to create a record because I am concerned for my safety. As part of my job responsibilities, I coordinate with officials from the FBI and DOJ on issues related to threats against election officials and have reported to the FBI threats made against NASED and myself on numerous occasions, including threats that refer to Plaintiff and the false conspiracy theories that he promotes. I take these threats seriously, as does the FBI. (<https://www.justice.gov/opa/blog/justice-department-launches-task-force-combat->

[threats-against-election-workers-0](#) (announcing creation of DOJ task force “to the address threats of violence against election workers”).)

8. I am also a resident of Washington, DC. During the January 6, 2021 Capitol insurrection and throughout the month of January, I had to take extra precautions for my safety after Plaintiff filed his First Amended Complaint naming me as an individual defendant and, thereafter, publicly disclosed certain personal information about me.

9. Plaintiff’s promotion of false claims alleging that NASED and I were complicit in a conspiracy to commit election fraud has significantly interfered with my professional and personal life.

Signed Under Pains and Penalties of Perjury this 6th day of August, 2021.

/s/ Amy Cohen
Amy Cohen